

Document details

1 of 1

Export Download Print E-mail Save to PDF Add to List More...

Intellectual Discourse Open Access  
Volume 26, December 20 2018, Pages 1093-1108

Waqf, its substitution (Istibdal), and selected resolutions of Islamic Fiqh academy India: A Maqa?id al-Shari'ah perspective (Review)

Ali Al-Fijawi, M.F.<sup>a</sup> Shah U Tun Aung, M.A.<sup>b</sup> Gamon, A.D.<sup>b</sup>

<sup>a</sup>Department of Fiqh and Usul Al-Fiqh, Kulliyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, Malaysia  
<sup>b</sup>Department of Fundamental and Interdisciplinary Studies (FIDS), Kulliyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, Malaysia

Abstract

View references (13)

Waqf is a charity in which corpus is maintained and the usufruct is given to the beneficiaries. The continuity of the usufruct depends on the maintenance and management of the corpus. One of the modes used both in classical and modern times to maintain waqf-properties is substitution of one waqf-property with another known as istibdal. This paper reads into Istibdal, selected resolutions of Fiqh Academy India and scrutinizes them under the Shari'ah objectives of waqf and tabarru'at (donation). The finding shows that modes of Istibdal permitted by Islamic law realize the Shari'ah objectives of waqf concomitantly. Modes which were not permitted oppose the objectives of the Shari'ah. This work is a potential guide for institutions and committees involved with the development of waqf-properties using innovative financing modes. © 2018 International Islamic University Malaysia. All Rights Reserved.

Author keywords

- Badl (replacement) perpetual charity
- Everlasting benefits
- Istibdal (substitution)
- Maqasid al-Shari'ah

ISSN: 01284878  
Source Type: Journal  
Original language: English

Document Type: Review  
Publisher: International Islamic University Malaysia

References (13)

View in search results format >

All Export Print E-mail Save to PDF Create bibliography

1 Wadud Mohammad Al-Saraiti, A. (1997) *Al-Wasaya Wal-awqaf Walmawarith Fi Al-Shari'ati Al-Islamiyah*. Cairo: Dar Al-Nahdat Al-'Arabiyyah. Abu Ishaq Al-Shatibi, Al-Muwafaqat Fi Usul Al-Shariah, 1-2, p. 429.

2 (2008) *Ala' Al-Din Abi Bakr Al-Kasani. N.d. Bada'i' Al-Sana' I' Fi Tartib Al-Shara' I'. Quetta: Maktabah Rashidiyyah. Badr Al-Din Al-'aini* Nukhb al-Afkar fi Tanqih Mabani al-Akhbar. Qatar: Wizarat al-Awqaf wa al-Shu'un al-Islamiyah

Metrics ?

0	Citations in Scopus
0	Field-Weighted Citation Impact

PlumX Metrics Usage, Captures, Mentions, Social Media and Citations beyond Scopus.

Cited by 0 documents

Inform me when this document is cited in Scopus:

Set citation alert >

Set citation feed >

Related documents

Muslim endowments in Asia: Waqf, charity and circulations  
Fauzia, A. , Mostowlansky, T. , Yahaya, N.  
(2018) *Muslim World*  
View all related documents based on references

Find more related documents in Scopus based on:  
Authors > Keywords >

- 
- ☐ 3 Al-Din Abu Muammad Al-Zayla'i, J.  
(2002) *Naʔb Al-Raʔyah Takhrij Aʔadith Al-Hidayah*  
Beirut: Dar al-Kutub al-'Ilmiyah
- 
- ☐ 4 Ismail Abdel Mohsin, M.  
(2016) *Financing the Development of Old Waqf Properties: Classical Principles and Innovative Practices Around the World*. Cited 2 times.  
United Kingdom: Palgrave Macmillan
- 
- ☐ 5 Al-Fiqhiyyah, A.  
(2006) *W-q-f': Al-Kuwait: Wizarah Al-Awqaf Wa Al-Shu'un Al-Islamiyah*
- 
- ☐ 6 Al-Tahirbn Al-'ashur, M.  
(2006) *Treatise on Maqaʔid Al-Shari'ah. Translated from Arabic by Mohammed El-Tahir El-Mesawi. Washington: The International Institute of Islamic Thought*
- 
- ☐ 7 Islam Qasmi, M.  
(2012) *Awqaf Ahkam Wa Masa'il*  
India: Islamic Fiqh Academy India IFA
- 
- ☐ 8 Muy Al-Din Abi Zakariya, B., Al-Nawawi, S.  
(2004) *Saʔiʔ Muslim Bi Sharʔ Al-Nawawi*  
Muhammad M. Tamir (ed.). Cairo: Dar al-Fajr li al-Turath
- 
- ☐ 9 Amad Palan Puri, S.  
(2003) *Raʔmatullahi Wasi'ah Sharʔ ʔUjjat Al-Allahi Baligah (Urdu*  
Deoband, UP: Makatabah ʔijaz
- 
- ☐ 10 (2018) *Sahih Al-Bukhari, ʔAdith No. 2737. Last Modified November 4*  
Sunnah. Com  
<https://sunnah.com/bukhari/54>
- 
- ☐ 11 Al-Zuhayli, W.  
(2007) *Al-Fiqh Al-Islami Wa Adillatuhu. Damascus: Dar Al-Fikr*
- 
- ☐ 12 Voice, A.  
(2014) *Jamil ʔAmdawi. Maqaʔid Fiqh Al-Tabarru'at Al-Watan Voice Arabic*  
Cited on 01-03-14  
<http://pulpit.alwatanvoice.com>
-